

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Howard E. Leventhal,

File No. 18-cv-320 (ECT/KMM)

Plaintiff,

v.

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION**

Travis Tomford,  
Victor Rigling,  
Rachel Mark,  
Sarah Hutchings,  
Loretta Lynch,  
Sarah Revell,  
Benjamin Rice,  
Doctor Francia,  
Barbara Sullivan,  
Scott Moats,  
M. Segal,  
Michael Borucky,  
Michael Gillum, and  
Persons Unknown,

Defendants.

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The Court has received the October 29, 2018 Report and Recommendation of United States Magistrate Judge Katherine M. Menendez. ECF No. 84. No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation [ECF No. 84] is **ACCEPTED**;

2. The motions of Plaintiff Howard E. Leventhal for appointment of counsel, to deem summonses served, and for default or partial summary judgment [ECF No. 37] are DENIED.

Dated: November 20, 2018

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court